



GOVERNOR'S OFFICE OF  
BUDGET AND PROGRAM PLANNING

## Fiscal Note 2017 Biennium

<b>Bill #</b>	SB0185	<b>Title:</b>	Establish a state web page of convicted embezzlement names
<b>Primary Sponsor:</b>	Kary, Douglas (Doug)	<b>Status:</b>	As Amended in Senate Committee

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|--|--|--|
| <input checked="" type="checkbox"/> Significant Local Gov Impact | <input checked="" type="checkbox"/> Needs to be included in HB 2 | <input type="checkbox"/> Technical Concerns              |
| <input type="checkbox"/> Included in the Executive Budget        | <input type="checkbox"/> Significant Long-Term Impacts           | <input type="checkbox"/> Dedicated Revenue Form Attached |

### FISCAL SUMMARY

	<u>FY 2016 Difference</u>	<u>FY 2017 Difference</u>	<u>FY 2018 Difference</u>	<u>FY 2019 Difference</u>
<b>Expenditures:</b>				
General Fund	\$103,608	\$77,012	\$78,168	\$79,339
<b>Revenue:</b>				
General Fund	\$0	\$0	\$0	\$0
<b>Net Impact-General Fund Balance:</b>	<u>(\$103,608)</u>	<u>(\$77,012)</u>	<u>(\$78,168)</u>	<u>(\$79,339)</u>

**Description of fiscal impact:** SB 185 will require the establishment of a new database with a public-facing website for those convicted of embezzlement.

### FISCAL ANALYSIS

#### Assumptions:

#### **Department of Justice**

- The interface developed for this bill will need to be separated from databases and interfaces currently in production at the Department of Justice (DOJ) due to federal mandates currently imposed and the civil liability that exists within the existing framework.
- A 0.50 FTE Data Control Specialist would be necessary to research all records pertaining to embezzling convictions and continue working toward obtaining all biometric identification on persons convicted.
- The Justice Information Technology Services Division (JITSD) estimates that the new public interfacing system will take approximately 260 hours to establish programmatic requirements, design, build, test, and deploy at an estimated cost of \$28,600.
- Ongoing annual maintenance is estimated to cost \$11,000.
- The DOJ estimates that the software license maintenance costs will be approximately \$800 per year to operate this public interfacing website.
- A 0.10 FTE Computer Application Engineer will be necessary to support and maintain the user interface once operational.
- One-time startup costs for the new FTE are \$8,996 in FY 2016 only.

8. Rent is estimated to cost \$9,600 per year. Other costs are estimated to be \$10,916 in FY 2016 and FY 2017.  
 9. All costs are inflated at 1.5% per year in FY 2018 and FY 2019.

**Department of Corrections**

10. The Department of Corrections (DOC) lists an unknown impact, as the DOC recognizes that these types of crimes in Montana may increase and could have a future impact.  
 11. If a person is convicted of a felony under this new language, the cost of incarceration is \$34,175 per year per male inmate and \$38,515 per year per female inmate.  
 12. The Department of Corrections will need to make adjustments to its offender management information system to ensure a condition mandating registration in the embezzlement registry is accounted for. The information system updates could take place with existing resources on regular time.

**Judicial Branch**

13. The number of district court cases and hearings may increase as a result of this legislation; however, the Judicial Branch is unable to estimate the impact on judicial workload or the fiscal impact. The cumulative impact of such legislation may eventually require additional judicial resources because court dockets currently are full in many judicial districts throughout the state.

	<b><u>FY 2016 Difference</u></b>	<b><u>FY 2017 Difference</u></b>	<b><u>FY 2018 Difference</u></b>	<b><u>FY 2019 Difference</u></b>
<b><u>Fiscal Impact:</u></b>				
<b>FTE</b>	0.60	0.60	0.60	0.60
<b><u>Expenditures:</u></b>				
Personal Services	\$44,696	\$44,696	\$45,366	\$46,046
Operating Expenses	\$58,912	\$32,316	\$32,802	\$33,293
<b>TOTAL Expenditures</b>	<b>\$103,608</b>	<b>\$77,012</b>	<b>\$78,168</b>	<b>\$79,339</b>
<b><u>Funding of Expenditures:</u></b>				
General Fund (01)	\$103,608	\$77,012	\$78,168	\$79,339
State Special Revenue (02)	\$0	\$0	\$0	\$0
<b>TOTAL Funding of Exp.</b>	<b>\$103,608</b>	<b>\$77,012</b>	<b>\$78,168</b>	<b>\$79,339</b>
<b><u>Revenues:</u></b>				
General Fund (01)	\$0	\$0	\$0	\$0
<b>TOTAL Revenues</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b><u>Net Impact to Fund Balance (Revenue minus Funding of Expenditures):</u></b>				
General Fund (01)	(\$103,608)	(\$77,012)	(\$78,168)	(\$79,339)

**Effect on County or Other Local Revenues or Expenditures:**

1. Section 4 requires county attorneys to process petitions for removal from the registry. Counties are unable to estimate the costs associated with this requirement.

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Sponsor's Initials\_\_\_\_\_  
Date\_\_\_\_\_  
Budget Director's Initials\_\_\_\_\_  
Date